

REMARKS

Reconsideration is respectfully requested.

Fig 1 was amended by changing reference numeral 107, as it relates to the boom, to 106. A marked-up copy of the drawings with the changes included in red is attached herewith for the Examiner's consideration. In view of the fact that applicant has canceled herewith claims 8 and 9, no further drawing amendments are being proposed herewith by the applicant.

Applicant has made further amendments to paragraph 20, page 6, of the specification. Favorable consideration of this amendment is respectfully requested.

The Examiner's remarks and cited references have been carefully considered and responsive thereto applicant has amended claims 1, 5 and 13 and has canceled claims 8 and 9.

Claim 5 was rejected by the Examiner under 35 U.S.C. 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner stated that claim 5 is indefinite since it fails to correlate the base portion and the rib portion with a reinforcing structure. Response thereto, applicant has amended claim 5 in the manner very helpfully suggested by the Examiner, and applicant respectfully submits that claim 5 now particularly points out and distinctly claims the subject matter that applicant regards as the invention and that this rejection now be withdrawn.

Claims 1, 2, 3, 6, 8 and 9 were rejected by the Examiner under 35 U.S.C. 102 as being anticipated by Peterson. As noted previously, applicant has canceled claims 8 and 9. Responsive to the Examiner's rejection, applicant has amended claim 1 (with remaining claims 2-7 dependent thereon) to more fully differentiate applicant's teachings from those of Peterson or any of the cited references. Specifically, claim 1 was amended to include, in regards to selecting and locating the reinforcing structure, the following arrangement: "at least one reinforcing structure ... having more than one attachment orientation option, relative to said longitudinal axis, to said member", which is neither taught nor suggested by Peterson. With reference to Peterson, Peterson's plates (74,76) serve the function of incorporating the pivot points (68, 73) used to pivotally connect the loader arm (56) with

respective linkages (71) and cylinders (64), and because these points must be in a fixed, particular location in order to assemble the loader arm to the machine, Peterson offers no flexibility in optimizing the orientation of the plates (74,76) in order to most efficiently prevent buckling of the loader arm. For at least the reasons presented above, the applicant respectfully submits that Peterson does not and cannot teach applicant's invention as now claimed and that this rejection now be withdrawn.

Claim 4 and 5 were rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Waka. Although applicant is unclear as to what is being combined with Waka to reject claim 4, in view of the fact that claim 4 depends on claim 1, applicant assumes that Waka is being combined with Peterson in which case applicant's comments above with respect to claim 1 are directly applicable here, and applicant respectfully submits that the combination of Waka with any of the cited references fails to teach or suggest the following arrangement: "at least one reinforcing structure ... having more than one attachment orientation option, relative to said longitudinal axis, to said member", as now claimed by the applicant. Applicant respectfully submits that applicant's claim 4 is now in condition for allowance and that the rejection of this claim now be withdrawn.

With respect to claim 5, applicant is again unclear as to what is being combined with Waka to reject claim 5. However, the structure that the Examiner refers to in Waka (28,27) as being a reinforcing structure is actually what is correspondingly referred to in applicant's specification as the "bottom plate". However, to more clearly differentiate applicant's teachings from those of Waka, applicant has further amended claim 5 to now include that "said reinforcing structure is coupled to said member substantially between said top plate and said bottom plate" which is clearly not taught by Waka either alone or in combination with any of the cited references. Applicant respectfully submits that applicant's claim 5 is now in condition for allowance and that the rejection of this claim now be withdrawn.

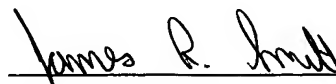
Claim 7 was rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Peterson. In view of the fact that claim 7 depends on claim 1, applicant respectfully submits that Peterson fails to teach or suggest, either alone or in combination with any of the cited references, the following arrangement: "at least one reinforcing structure

... having more than one attachment orientation option, relative to said longitudinal axis, to said member”, as now claimed by the applicant. Applicant respectfully submits that applicant’s claim 7 is now in condition for allowance and that the rejection of this claim now be withdrawn.

Claims 10-17 were rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Kobayashi in view of Peterson. In view of the fact that claims 10-12 depend upon claim 1, applicant respectfully submits that Kobayashi and Peterson fail to teach or suggest, either alone or in combination, the following arrangement: “at least one reinforcing structure ... having more than one attachment orientation option, relative to said longitudinal axis, to said member”, as now claimed by the applicant. Regarding claims 13-17, applicant has amended claim 13 (with claims 14-17 dependent thereon) to more fully differentiate applicant’s teachings from those of the combination of Kobayashi and Peterson or any of the cited references. Specifically, claim 13 was amended to make more clear that with respect to the attachment of the reinforcing structure to at least one of said first member or said second member, there exists “more than one attachment orientation option, relative to a respective longitudinal axis”, which is neither taught nor suggested by the combination of Kobayashi and Peterson. Applicant respectfully submits that the combination of Kobayashi and Peterson fails to teach applicant’s invention as now claimed and that the rejection of these claims now be withdrawn.

It is respectfully urged that the subject application is in condition for allowance and allowance of the application at issue is respectfully requested.

Respectfully submitted,



James R. Smith  
Registration No. 41,318  
Caterpillar Inc.

Telephone: (309) 636-1569  
Facsimile: (309) 675-1236